

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Letters Patent of:  
Ichiro Koguma et al.

Patent No.: 7,459,085

Issued: December 2, 2008

For: MICROPOROUS HYDROPHILIC  
MEMBRANE

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**REQUEST FOR CERTIFICATE OF CORRECTION  
PURSUANT TO 37 CFR 1.322**

Attention: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

Upon reviewing the above-identified patent, Patentee noted that the Terminal Disclaimer, filed July 18, 2008 has not been added to the face of the Letters Patent. Attached is a copy of the Terminal Disclaimer for your records.

The phrase "This patent is subject to a terminal disclaimer." is to be indicated in the first column, of the first page (cover sheet) under the paragraph "(\*) Notice: Subject to any disclaimer, the term of this....".

The error was not in the application as filed by applicant; accordingly no fee is required.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment.

Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: May 8, 2009

Respectfully submitted,

By 

Charles E. Miller

Registration No.: 24,576

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: 7/18/08

Signature: 

(Charles E. Miller)

Docket No.: A5868.0035  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ichiro Koguma et al.

Application No.: 10/531,568

Confirmation No.: 1851

Filed: April 18, 2005

Art Unit: 1797

For: MICROPOROUS HYDROPHILIC  
MEMBRANE

Examiner: A. M. Fortuna

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for recording is the Terminal Disclaimer for the above-identified application. Concurrently with this filing, we have paid the \$130.00 recording fee. In the event this amount is insufficient, you are authorized to charge to our Deposit Account No. 50-2215 any additional amounts owing.

Dated: July 18, 2008

Respectfully submitted,

By 

Charles E. Miller

Registration No.: 24,576

DICKSTEIN SHAPIRO LLP

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(212) 277-6500

Attorney for Applicant

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

A5868.0035

In re Application of: Ichiro Koguma et al.

Application No.: 10/531,568-Conf. #1851

Filed: April 18, 2005

For: MICROPOROUS HYDROPHILIC MEMBRANE

The owner\*, Asahi Kasei Pharma Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent No. 7,140,496** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:


- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 24,576

  
Signature

July 18, 2008  
Date

Charles E. Miller  
Typed or printed name

(212) 277-6559  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: 7/18/08

Signature:  (Charles E. Miller)